

AMENDED IN SENATE AUGUST 7, 2000
AMENDED IN SENATE JUNE 20, 2000
AMENDED IN SENATE JUNE 14, 2000
AMENDED IN ASSEMBLY APRIL 25, 2000
AMENDED IN ASSEMBLY APRIL 4, 2000
AMENDED IN ASSEMBLY MARCH 23, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1886

Introduced by Assembly Member Lowenthal

February 10, 2000

An act to add Section 1203.098 to the Penal Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 1886, as amended, Lowenthal. Training requirements: batterers' treatment program.

Existing law requires that a person convicted of a crime of domestic violence, as defined, and granted probation, be required to satisfactorily complete a batterers' treatment program. A batterers' treatment program is required to include specified components.

This bill would recharacterize these programs as batterers' intervention programs and would require facilitators of these programs to meet minimum training requirements, including 40 hours of basic-core training, and 52 weeks or no less than

104 hours in 6 months, as a trainee in an approved batterers' intervention program, as defined. The bill would require facilitators of batterers' intervention programs to complete a minimum of 16 hours of continuing education in either domestic violence or a related field as specified. Additionally, the bill would authorize a person or agency with a specific hardship to request the probation department for an extension of time to complete the training or to complete alternative training options. The bill would exempt from its training requirements an experienced facilitator, as defined, a person who provides batterers' treatment through a jail education program if it is determined that the person has adequate education or training in domestic violence or a related field, any person who provides documentation of satisfactory completion of equivalent coursework, and a person who has completed the training requirements of a county probation department with training requirements that are equivalent to or more stringent than the requirements of this act. By increasing the duties of local officers this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1203.098 is added to the Penal
2 Code, to read:



1 1203.098. (a) Unless otherwise provided, a person
2 who works as a facilitator in a batterers' intervention
3 program that provides programs for batterers pursuant to
4 subdivision (c) of Section 1203.097 shall complete the
5 following requirements before being eligible to work as
6 a facilitator in a batterers' intervention program:

7 (1) Forty hours of core-basic training. A minimum of
8 eight hours of this instruction shall be provided by a
9 shelter-based or shelter-approved trainer. The core
10 curriculum shall include the following components:

11 (A) A minimum of eight hours in basic domestic
12 violence knowledge focusing on victim safety and the role
13 of domestic violence shelters in a
14 community-coordinated response.

15 (B) A minimum of eight hours in multicultural and
16 multiethnic diversity and domestic violence.

17 (C) A minimum of four hours in substance abuse and
18 domestic violence.

19 (D) A minimum of four hours in intake and
20 assessment, including the history of violence and the
21 nature of threats and substance abuse.

22 (E) A minimum of eight hours in group content areas
23 focusing on gender—~~rules~~ *roles* and socialization, the
24 nature of violence, the dynamics of power and control,
25 and the affects of abuse on children and others as required
26 by Section 1203.097.

27 (F) A minimum of four hours in group facilitation.

28 (G) A minimum of four hours in domestic violence
29 and the law, ethics, all requirements specified by the
30 probation department pursuant to Section 1203.097, and
31 the role of batterers' intervention programs in a
32 coordinated community response.

33 (H) Any person that provides documentation of
34 coursework that he or she has satisfactorily completed,
35 shall be exempt from that part of the training that was
36 covered by the satisfactorily completed coursework.

37 (I) The coursework that this person performs shall
38 count towards the continuing education requirement.

39 (2) Fifty-two weeks or no less than 104 hours in six
40 months, as a trainee in an approved batterers'

1 intervention program with a minimum of a two-hour
2 group each week. A training program shall include at
3 least one of the following:

4 (A) Cofacilitation internship in which an experienced
5 facilitator is present in the room during the group session.

6 (B) Observation by a trainer of the trainee conducting
7 a group session via a one way mirror.

8 (C) Observation by a trainer of the trainee conducting
9 a group session via a video or audio tape.

10 (D) Consultation and or supervision twice a week in
11 a six-month program or once a week in a 52-week
12 program.

13 (3) An experienced facilitator is one who has the
14 following qualifications:

15 (A) Documentation on file, approved by the agency,
16 evidencing that the experienced facilitator has the skills
17 needed to provide quality supervision and training.

18 (B) Documented experience working with batterers
19 for three years, and a minimum of two years working with
20 batterer's groups.

21 (b) A facilitator of a batterers' intervention program
22 shall complete, as a minimum continuing education
23 requirement, 16 hours annually of continuing education
24 in either domestic violence or a related field with a
25 minimum of 8 hours in domestic violence.

26 (c) A person or agency with a specific hardship may
27 request the probation department, in writing, for an
28 extension of time to complete the training or to complete
29 alternative training options.

30 (d) (1) An experienced facilitator, as defined in
31 paragraph (3) of subdivision (a), is not subject to the
32 40-hour basic core training or the supervision
33 requirements of this section.

34 (2) This section does not apply to a person who
35 provides batterers' treatment through a jail education
36 program if the person in charge of that program
37 determines that such person has adequate education or
38 training in domestic violence or a related field.

39 (e) A person who satisfactorily completes the training
40 requirements of a county probation department whose

1 training program is equivalent to or exceeds the training
2 requirements of this act shall be exempt from the training
3 requirements of this act.

4 SEC. 2. Notwithstanding Section 17610 of the
5 Government Code, if the Commission on State Mandates
6 determines that this act contains costs mandated by the
7 state, reimbursement to local agencies and school
8 districts for those costs shall be made pursuant to Part 7
9 (commencing with Section 17500) of Division 4 of Title
10 2 of the Government Code. If the statewide cost of the
11 claim for reimbursement does not exceed one million
12 dollars (\$1,000,000), reimbursement shall be made from
13 the State Mandates Claims Fund.

